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REMARKS

Applicant thanks the Examiner for the Office Action. In the Action, claims 1-5 were pending and were rejected under 35 U.S.C. 102(e) as being anticipated by Watkins, et. al (US Patent Pub. 2005/0075892 A1). Applicant respectfully requests entry of the amendments above correcting minor wording errors in claim 1 and adding new claim 6 and respectfully requests reconsideration of the claims in view of the discussion below. No new matter is added.

Using claim 1 as an example, a telematics unit is provisioned by *initiating a wireless over the air service provisioning session between the telematics unit and a wireless network carrier, wherein data is downloaded from the wireless network carrier to the telematics unit during the over the air service provisioning session, and upon completion of the over the air service provisioning session between the telematics unit and the wireless network carrier, automatically initiating a call from the telematics unit to a telematics service provider, wherein at least of portion of the data downloaded from the wireless network carrier to the telematics unit is uploaded to the telematics service provider.* Watkins, on the other hand, teaches operating a telematics unit in a logistical support mode and then in a customer service mode and does not teach this claim combination.

Watkins mentions "provisioning" only twice, paragraphs 2 and 35. In paragraph 2, Watkins states:

... In a known example, telematics units are provisioned and activated at a point of sale when a subscriber purchases a telematics equipped vehicle....

In paragraph 35, Watkins states:

... Now in the second mode, the telematics unit behaves in a subscriber support context and is ready to be provisioned for a specific subscriber. Alternatively the telematics unit 102 may be configured to disable logistic support mode and enable subscriber support by activating a subscriber account associated with the vehicle...

In neither section does Watkins teach *initiating a wireless over the air service provisioning ... wherein data is downloaded from the wireless network carrier to the telematics unit during the*

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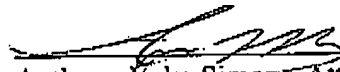
over the air service provisioning session, and upon completion .. automatically initiating a call from the telematics unit to a telematics service provider, wherein at least of portion of the data downloaded from the wireless network carrier to the telematics unit is uploaded to the telematics service provider. Nowhere else does Watkins teach these steps, thus Watkins cannot anticipate the claimed invention.

In the Office Action, the Examiner points to Watkins, paragraphs 14, 15 and 39, as teaching the first step of claim 1. Since none of these paragraphs relate to a session between a telematics unit and a wireless network carrier or provisioning the telematics, they cannot teach the first step.

Next, the Examiner points to Watkins, paragraphs 40 and 42, as teaching the second step. Paragraphs 40 and 42 refer to sending logistical support and warranty data to a service provider and do not teach or suggest sending data received from a wireless network carrier during provisioning to a telematics service provider. Thus, paragraphs 40 and 42 cannot teach the second step of claim 1.

Because Watkins does not teach the combined steps of claim 1, it cannot anticipate claim 1 or any of the other claims. Applicant therefore respectfully requests withdrawal of the rejection and allowance of claims 1-6.

Respectfully submitted,


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